



RESTRICT 2006239791

3 PGS

Zoning Case No. C14-06-0158

RESTRICTIVE COVENANT

OWNER: Oasis in West Campus, Inc., a Texas corporation

ADDRESS: 2305 RR 620, Suite 135-345, Lakeway, Texas 78734

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: Lot 1, Outlot 27, Original City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 1, Page 122A, of the Plat Records of Travis County, Texas.

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its successors and assigns.

1. For a new building or structure constructed to a height of 60 feet or less from street level, a minimum 10 percent of its gross building coverage shall be for a residential use.
2. For a new building or structure constructed to a height of 60 feet or more from street level, a minimum 15 percent of its gross building coverage shall be for a residential use.
3. If development of the Property exceeds 60 feet in height then the Owner shall design and construct streetscape improvements along Nueces Street in compliance with the City of Austin Great Streets design criteria as the criteria existed on December 14, 2006. Design, permitting and construction of streetscape improvements will be at Owner's expense. The Owner shall coordinate the design of the streetscape improvements with the Urban Design Section of the Neighborhood Planning and Zoning Department. The Urban Design Section shall inspect and approve the streetscape improvements prior to issuance of a certificate of occupancy.
4. Retail space is limited to 1200 square feet of net building coverage on the Property.
5. A tattoo parlor or shop with associated tattoo paraphernalia is prohibited on the Property.
6. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.

12-14-06
+ 64

Restrictive covenant
Oasis in West Campus

- EXECUTED this the 13 day of December, 2006.

By:

Julie D. Robertson
Notary Public, State of Texas

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After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767
Attention: Diana Minter, Paralegal

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2006 Dec 15 03:42 PM 2006239791

BENAVIDESV \$24.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS